

TOWNSHIP OF O'HARA
COUNCIL VIRTUAL WORKSHOP MINUTES
JANUARY 5, 2021

I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:00 p.m.
- B. Pledge of Allegiance led by President Smith.
- C. Roll Call

Council Members Present: Robert John Smith, President of Council; Charles A. Vogel, Vice-President of Council; George H. Stewart, Second Ward; Gregory Caprara, Third Ward; Allison Berger, Fourth Ward; Cassandra Eccles, Fifth Ward; John R. Denny, Jr., At-Large

Also Present: Ted Curran, Treasurer; Julie A. Jakubec, CPA, CGMA, Township Manager; Brendan Lucas, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Loren R. Kephart, Public Service Superintendent; Scott K. Slagel, Police Superintendent; Cathy Bubas, Manager's Secretary

Manager Jakubec read a statement explaining the virtual meeting procedures.

President Smith welcomed all virtual attendees and extended 'Happy New Year' wishes. He noted Scott Frankowski resigned from Council. President Smith welcomed newly appointed Third Ward Council Member, Gregory Caprara.

II. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Mr. Tom Powers, Powers Run Road, stated he submitted the Park History Signs to the History Center for review. He requested staff to touch base with Native organizations concerning vetting the information on the signs.

Dan and Marlie Filipek, 214 Falconhurst Drive, referenced a letter sent to Council about a Township insurance claim that was denied from sewage backing up in their home. Ms. Filipek recalled on October 7, 2020 the next door neighbor discovered a sewage backup in their home. O'Hara Township work crew came and blew out the lines, which resulted in sewage flying out of all the toilets, sinks and sewers in their home. They hired a restoration company through their insurance provider. The Filipek family was displaced from their home for six days. The restoration company charged \$10,124, of which insurance paid \$10,000. An estimate from Service Master to restore the home is \$27,000 but does not include personal items lost.

Ms. Filipek stated the resident at 213 Falconhurst Drive, also experienced damage, which the Township's insurance denied. Ms. Filipek received a certified letter on December 22, 2020 from the Township's insurance provider, denying the claim. She recalled in May 2019, Mr. and Mrs. Nuhfer experienced a backup and the Township work crew investigated and found a blocked line

from roots. She noted the Township crew indicated the line may need liners. No action was taken to correct the problem.

Ms. Filipek recalled on December 21, 2020 a third-party, independent contractor was hired for remediation work by the Township's insurance agency, and no advance warning was provided.

Ms. Filipek stated the pipes belong to the Township and should be regularly maintained by the Township.

Mr. Nuhfer, 216 Falconhurst Drive, recalled talking with the Township Engineer about the October 7th incident and the recurring problem. Mr. Nuhfer stated Mr. Steinert was aware of a problem from the previous year and possible repair. Mrs. Nuhfer recalled the repair was promised after the May 2019 issue. Mr. Nuhfer stated since May of 2019 the Township has had ample time to inspect the line. Mr. Nuhfer noted the insurance company denied the October 7th claim, saying the Township was not aware of any prior problem. He questioned how the insurance company could investigate without having a discussion with any residents. Mr. Nuhfer also stated the insurance company never returned any of their phone calls.

Mr. Denny, Jr. stated he received and read the letter. He questioned who ordered the third-party independent broker, and who are they. Manager Jakubec stated the insurance company ordered the third party, who is Philadelphia Insurance. Mr. Denny, Jr. inquired about what the report stated. The Manager and Mr. Steinert did not receive a copy of the report. They met with "Rich", who surveyed the damage briefly and left. Email exchanges provided no updates. The Manager stated she finally was able to contact the Township's agent through HDH.

Vice President Vogel asked if Township staff had any discussion about the claims being denied. Manager Jakubec stated she has not received any information. Mr. Steinert, Jr., P.E. stated he was told the claim was denied for multiple legal reasons, but had not received anything in writing. The Manager stated typically she receives a copy of what the resident receives. President Smith questioned why the denial was sent to the resident and not the Township. Manager Jakubec stated she would be contacting Philadelphia Insurance tomorrow.

Mr. Filipek stated he would share the letter they received from Philadelphia Insurance.

Vice President Vogel stated this is **not** acceptable and extended sincere apologies to the Filipek's and Nuhfer's, to which Mr. Stewart reiterated.

Mr. Stewart questioned when the Township was first notified and why staff did not follow up with the insurance company. Manager Jakubec stated staff did follow up and the insurance company never returned the calls.

Mr. Stewart noted the claim was filed October 15, 2020 and the denial was received December 22, 2020.

Mr. Filipek stated his family does not have a bathroom or other functioning things. He could not understand the argument that there were no known prior issues. Mr. Steinert, Jr., P.E. recalled he

and Mr. Kephart talking to the insurance company and gave them copies of the 2014 and 2018 CCTV inspections.

Ms. Eccles asked if the insurance company was aware of the May 2019 incident, which Mr. Steinert affirmed. Vice President Vogel stated history has nothing to do with it. The Township was clearing the line that caused the issue. Solicitor Lucas stated the Township can only be found liable if the Township had prior incidence and knew of the problem. Vice President Vogel stated the Township knew there was a problem. They were working on the line.

Manager Jakubec indicated she would contact the representative at HDH. Mr. Denny, Jr. expressed confidence in the Manager and suggested she also talk with Philadelphia Insurance Agency. The Manager intended to have a zoom.com meeting with HDH and Philadelphia to figure out what is going on and their thought process.

Mr. Filipek thanked Council for listening and Mr. Nuhfer acknowledged that accidents happen.

III. REVIEW AND DISCUSSION

A. Proposed Amendment to the North Hills Council of Government Mutual Aid Agreement

Manager Jakubec stated the proposed amendments to an existing agreement among COG members adds language “including during times of public health emergencies” and updates the municipalities/authorities that have joined the COG since 2006. She clarified this is an amendment that all COG members are considering and addresses COVID-19 issues and public services mutual aid among the COG members.

The consensus of Council was to include a resolution for consideration on the January 12th regular meeting agenda.

B. Request for Abatement of Real Estate Taxes for 2019

Manager Jakubec referenced a Disabled Veterans Real Property Tax Exemption Certification dated April 9, 2019, for Glenn P. Hofer, 351 Dorseyville Road. She explained the Tax Exemption Certificate was received after the 2019 Township tax bills had been mailed. As a result, Jordan Tax filed a lien for the unpaid Township real estate taxes. The Department of Veterans Affairs has verified Mr. Hofer is totally and permanently disabled as a result of service-connected causes. Mr. Hofer is requesting Council's consideration to abate all real estate taxes on the subject property and remove the 2019 lien due to a timing issue.

Vice President Vogel asked if all disabled veterans could be exempt from paying real estate taxes. The Manager noted the veteran would have to apply for tax exemption. Solicitor Lucas noted the requirements are strict to qualify for the exemption. Manager Jakubec suggested including an article in the Township Newsletter about the potential for tax exemption for disabled veterans.

The consensus of Council was to include the matter on the January 12th regular meeting agenda for consideration.

C. Recognizing the Services of Bruce Gay, Ed Joyce and Dianna Rizzo

Manager Jakubec stated Township Planning Commissioner Bruce Gay submitted an email resigning from the Commission effective at the end of his term, December 31, 2020. Ed Joyce and Dianna Rizzo of the Civil Service Commission relocated outside of the Township in 2020. It has been past practice to recognize public servants for their contribution to the community.

The consensus of Council was to include resolutions recognizing the resident volunteers' services on the January 12th regular meeting agenda for consideration.

D. Appointing Council Delegates to Boards/Agencies

The Manager noted Council typically appoints Council Members to various Township-related Boards and Agencies each January. The current list of appointees is as follows:

North Hills Council of Governments Board of Delegates
Ted Curran, Delegate; Allison Berger, Alternate Delegate

Municipal Risk Management Board of Delegates
Scott Frankowski, Delegate; George Stewart, Alternate Delegate

Fire Funding & Safety Committee
Charles A. Vogel, Council Representative
Dempsey D. Bruce, III, Citizen Representative

Northern Basin Advisory Board
Charles A. Vogel, Council Representative

Community Center Association Board
Mark Rothert, Council Representative
Cassandra Eccles, Alternate Council Representative

RIDC Business Alliance
George Stewart, Council Representative
Allison Berger, Council Co-Representative

Mr. Denny, Jr. offered to replace Mr. Frankowski, but as Alternate Delegate, if Mr. Stewart would be willing to serve as Delegate, on the Municipal Risk Management Board, to which Mr. Stewart was acceptable.

E. Proposed Timeline for Filling Planning Commission and Civil Service Commission Vacancies

Manager Jakubec suggested advertising for volunteers to fill vacancies on the subject Commissions in late January 2021, followed by Council interviews in February, and appointment in March.

Mr. Stewart inquired of the number of members serving on each Commission. Manager Jakubec stated the Civil Service Commission is a five-member board, with currently two vacancies. The board is not conducting meetings at this time. Planning Commission includes seven resident volunteers, and currently has six resident volunteers serving.

The consensus of Council concurred with the Manager's suggested timeline for filling the vacancies.

F. Council Goals/Objectives/Priorities for 2021

Mr. Denny, Jr. recommended ensuring the Township has fully upgraded technology, and continuing zoom.com meetings when things get back to normal. He questioned if it would be reasonable for the Long Range Comprehensive Plan to be completed in 2021. The Manager indicated updating the Plan should take about 18 months. Mr. Denny, Jr. also suggested implementing the historical signs about the community in Township Parks; and hosting a celebratory Township Re-Opening, especially for Parks.

Mr. Caprara suggested technology for Council Members to communicate with constituents, such as hoopsweep. Manager Jakubec noted the Township communicates with residents via Call Fire, Nixle, Twitter and Facebook.

Ms. Cindy Harris, Fox Pointe, noted the Long Range Comprehensive Plan is going to be a long process. Certain projects will top the list. She anticipated the plan to be completed in 18 to 24 months.

Ms. Harris suggested each Board set up mailing lists and interest areas that people can sign up for. Mr. Stewart also suggested a software program for people to report problems and track the progress. Mr. Steinert, Jr., P.E. noted the GIS System has that capability, but he has not had time to research. President Smith indicated Traiser also has tracking capabilities. He noted getting information out to the public should be a high priority. He also acknowledged goals are set by the budget.

G. Solicitor's December 4, 2020 Invoice

No comments.

H. Proposed January 12, 2021 Council Regular Virtual Meeting Agenda

Council approved the proposed meeting agenda.

IV. CONCERNS OF COUNCIL

Mr. Stewart inquired about the grading at the new Kerr Elementary School. Mr. Steinert, Jr., P.E. indicated the grading is nearly done and has a 3:1 slope, which was pulled back farther from the residents. Manager Jakubec stated staff needs to make sure the grading is in accordance with the plan before the Conservation District signs off.

Mr. Stewart noted residents on Saxonburg Boulevard seem to be satisfied with the sewer work. Vice President Vogel questioned the number of residents that have not tapped into the sewer line. Mr. Steinert, Jr., P.E. indicated ten residents had not connected to the sewer line. Manager Jakubec also noted staff is working with residents that have extenuating circumstances.

Ms. Eccles inquired about the trailer parked at the corner of Aqua Drive and Powers Run Road. Manager Jakubec indicated the new Code Enforcement Officer would investigate tomorrow.

V. CONCERNS OF STAFF

Manager Jakubec requested Council to remain after the meeting for an Executive Session to discuss labor and legal matters.

VI. ADJOURNMENT

The Workshop adjourned at 8:07 p.m. and Council entered into Executive Session.

Cathy Bubas, Manager's Secretary

Attachment: Attendance Sheet